



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

THOMAS LINDEMAN
Tel.: (212) 356-0418
tlindema@law.nyc.gov


MEMO ENDORSED

January 5, 2023

VIA ECF

Hon. Edgardo Ramos
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Defendant's request to stay this matter pending the resolution of their motion to consolidate with three other matters is denied. SO ORDERED.


Edgardo Ramos, U.S.D.J.
Dated: January 6, 2023
New York, New York

Re: *K.G. et al v. New York City Dep't of Educ.* 22-cv-9476(ER)(KHP)

Dear Judge Ramos:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq. ("IDEA"), as well as for this action.

I write to respectfully request that this matter be stayed pending the resolution of Defendant's anticipated motion to consolidate this matter with three other IDEA fees-only actions all filed on Nov. 4, 2022, *J.A., et al. v. N.Y.C. Dep't of Educ.*, 22-cv-9454(VEC)(GWG).. Plaintiff does not consent to this request.

As the Court is aware (ECF No. 13-1), Defendant filed a letter requesting a pre-motion conference regarding Defendant's anticipated motion to consolidate this case with *J.A.*, 22-cv-9454(VEC)(GWG). Magistrate Judge Gorenstein is handling that request, per his Order on the docket (22-cv-9454, ECF No. 17). Plaintiffs have until January 9, 2023 to respond to that letter, at which time a conference will presumably be held, or a briefing on consolidation will be entered. While a response to the complaint in this matter is not due until March 7, 2023, if Defendant's motion to consolidate is briefed, Judge Gorenstein will be asked to issue a report and recommendation, which may then result in Objections to Judge Caproni. It would serve judicial economy to stay this (and the other two cases sought to be consolidated¹) with the case before Judge Caproni pending the outcome of the consolidation motion. The requested stay would allow

¹ Defendant is submitting similar stay requests in those other two additional cases : *R.B., et al. v. N.Y.C. Dep't of Educ.*, 22-cv-9472(VSB)(JW), and *L.M. v. N.Y.C. Dep't of Educ.*, 22-cv-9478(JPC)(BCM).

the parties to resolve that issue and determine whether or not this Court need further intervene in this matter before further judicial resources are expended.

Therefore, Defendant respectfully requests that this case be stayed, pending the resolution of Defendant's anticipated Motion for Consolidation.

Thank you for considering this request.

Respectfully submitted,

/s/

Thomas Lindeman

Special Assistant Corporation Counsel

cc: Tracey Spencer Walsh (via ECF)